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16 **UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
18

19 BERKELEY HOMELESS UNION,

20 Plaintiff,

21 v.

22 CITY OF BERKELEY, THOMAS
23 GREGORY, PAUL BUDDENHAGEN,
24 PETER RADU, OKEYA VANCE-DOZIER,
25 DOES 1-10

26 Defendants.
27
28

Case No. 4:25-CV-04449

**AMENDED JOINT STIPULATION AND
ORDER AS MODIFIED GRANTING
CONTINUANCE OF HEARING ON
APPLICATION FOR PRELIMINARY
INJUNCTION**

Hon: Haywood S. Gilliam, Jr.

AMENDED JOINT STIPULATION

Pursuant to Civil Local Rule 6-2, Plaintiff Berkeley Homeless Union (“Plaintiff”) and Defendants City of Berkeley, Thomas Gregory, Paul Buddenhagen, Peter Radu, and Okeya Vance-Dozier, (“Defendants”) stipulate to reschedule the hearing on BHU’s Application for Preliminary Injunction:

WHEREAS, on May 27, 2025, Plaintiffs filed a Complaint and contemporaneously with their Complaint filing, Plaintiffs filed an Ex Parte Application for Temporary Restraining Order and Preliminary Injunction. ECF Nos. 1, 2;

WHEREAS, on May 27, 2025 this Court denied Plaintiff’s motion for a Temporary Restraining Order, ordered Defendants to file a response to Plaintiff’s motion for Preliminary Injunction by noon on Thursday, May 29, 2025, and set a hearing on Plaintiff’s motion for Preliminary Injunction for 3:00 p.m. on Thursday, May 29, 2025. ECF No. 8;

WHEREAS, on May 28, 2025 counsel for Plaintiff and Defendants’ counsel met and conferred telephonically to discuss an enlarged briefing schedule;

WHEREAS, no previous time modifications have been requested or ordered in this case;

WHEREAS, good cause exists for the enlargement of time to allow the parties to offer a more complete record for the Court’s consideration;

WHEREAS, the parties filed a Joint Stipulation on May 28, 2025, seeking to continue the hearing on Plaintiff’s motion for preliminary injunction to Friday, June 6, 2025;

WHEREAS, the parties are informed that the Court is available to hear Plaintiff’s motion for preliminary injunction on Thursday, June 5, 2025;

THEREFORE, the parties hereby stipulate as follows:

1. Subject to the Court’s availability, the hearing on Plaintiff’s motion for Preliminary Injunction be rescheduled to Thursday, June 5, 2025.
2. Defendants will file their response to Plaintiff’s motion for Preliminary Injunction on Monday, June 2, 2025.
3. Plaintiff will file its reply, if any, on June 4, 2025.

1 4. Defendants will refrain from clearing the encampment at Ohlone Park until after
2 the Court has ruled on Plaintiff's motion.

3 IT IS SO STIPULATED AND AGREED.

4 Dated: May 29, 2025

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6 By: /s/ Anthony Prince

7 Anthony Prince
8 Attorney for Plaintiff

9 Dated: May 29, 2025

 Berkeley City Attorney's Office

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11
12 By: /s/ Marc Shapp

13 Marc Shapp
14 Deputy City Attorney
15 Attorney for City of Berkeley

16 **FILER'S ATTESTATION**

17 Pursuant to Civil L.R. 5-1(i)(3) regarding signatures, I, Marc Shapp, attest that I have
18 obtained concurrence from all signatories to file this document.


ORDER AS MODIFIED

After considering the stipulation of the parties, and good cause appearing, IT IS HEREBY ORDERED that the hearing on Plaintiff's motion for Preliminary Injunction is rescheduled to June 5, 2025, at 2:00 p.m. in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA. The Court further ORDERS that the hearing shall also be accessible via Public Zoom Webinar. Members of the public and media may access the webinar information at <https://www.cand.uscourts.gov/hsg>.

IT IS FURTHER ORDERED that Defendants shall file their response to Plaintiff's motion for Preliminary Injunction on Monday, June 2, 2025. Plaintiff shall file its reply, if any, on June 4, 2025.

IT IS SO ORDERED.

Dated: May 29, 2025


Honorable Judge Haywood S. Gilliam, Jr.